

## Article B: Shoreland Protection Overlay

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### **Sec. 9-1-20 Purpose.**

For the purpose of promoting the public health, safety, convenience, and welfare, this Chapter has been established to:

- (a) Further the maintenance of safe and healthful conditions and prevent and control water pollution through:
  - (1) Limiting structures to those areas where soil and geological conditions will provide a safe foundation.
  - (2) Establishing minimum lot sizes to provide adequate area for private sewage disposal facilities.
  - (3) Controlling filling and grading to prevent serious soil erosion problems.
- (b) Protect spawning grounds, fish and aquatic life through:
  - (1) Preserving wetlands and other fish and aquatic habitat.
  - (2) Regulating pollution sources.
  - (3) Controlling shoreline alterations, dredging and lagooning.
- (c) Control building sites, placement of structures and land uses through:
  - (1) Separating conflicting land uses.
  - (2) Prohibiting certain uses detrimental to the shoreland area.
  - (3) Setting minimum lot sizes and widths.
  - (4) Regulating side yards and building setbacks from waterways.
- (d) Preserve shore cover and natural beauty through:
  - (1) Restricting the removal of natural shoreland cover.
  - (2) Preventing shoreline encroachment by structures.
  - (3) Controlling shoreland excavation and other earth moving activities.
  - (4) Regulating the use and placement of boathouses and other structures.

### **Sec. 9-1-21 General Provisions.**

Area covered by this shoreland protection overlay shall include all the lands (referred to as shorelands) in the unincorporated areas of Iron County which are:

- (a) Within one thousand (1,000) feet of the ordinary highwater mark of navigable lakes, ponds or flowages. Lakes, ponds or flowages in Iron County shall be presumed to be navigable if they are listed in the Wisconsin Department of Natural Resources publication "Surface Water Resources of Iron County" or shown on USGS maps.
- (b) Within three hundred (300) feet of the ordinary highwater mark of navigable rivers and streams, or to the landward side of the floodplain, whichever distance is greater. Rivers and streams in Iron County shall be presumed to be navigable if they are designated as either continuous or intermittent waterways on the United States Geological Survey

quadrangle maps. Flood Hazard Boundary Maps, Flood Insurance Rate Maps, Flood Boundary-Floodway Maps, County Soil Survey Maps or other existing County floodplain zoning maps used to delineate floodplain areas which have been adopted by Iron County, shall be used to determine the extent of the floodplain of navigable rivers or streams in Iron County.

- (c) Determinations of navigability and ordinary highwater mark shall initially be made by the Zoning Administrator. When questions arise, the Zoning Administrator shall contact the appropriate district office of the Department for a final determination of navigability or ordinary highwater mark.
- (d) Within the Shoreland Protection Overlay Area established by this Article of this Chapter any uses, including accessory and conditional uses, which are permitted or authorized in the underlying districts shall be subject to the shoreland provisions of this Chapter.

**Sec. 9-1-22 through Sec. 9-1-39      Reserved for Future Use.**